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PH#11

August 19, 2002

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Commissioner for Patents
Washington, D.C. 20231

Art Unit 1645

Re: U.S. Utility Patent Application
Appl. No. 09/974,973; Filed: October 12, 2001
For: **Feedback-Resistant Pyruvate Carboxylase Gene From *Corynebacterium***
Inventors: Paul D. HANKE
Our Ref: 1533.1230001/MAC/RGM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. A listing of the cited documents on form PTO-1449;
3. Copies of the cited documents (AR1-AS1); and
4. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala

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MAC/RGM:krm
Enclosures

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In re application of:

Paul D. Hanke

Appl. No. 09/974,973

Filed: October 12, 2001

For: **Feedback-Resistant Pyruvate
Carboxylase Gene From
*Corynebacterium***

Confirmation No. 8115

Art Unit: 1645

Examiner: *To Be Assigned*

Atty. Docket: 1533.1230001/MAC/RGM

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Information Disclosure StatementCommissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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